

1 TIMOTHY B. ROTE, 184781
2 THE COCHRAN FIRM,
2014 TULARE, #604
3 FRESNO, CALIFORNIA 93721
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FILED

2005 DEC 28 A 11:45

4 ATTORNEY FOR DEFENDANT

CLERK, U.S. DIST. COURT
EASTERN DIST. OF CALIF

5 UNITED STATES DISTRICT COURT BY _____

6 EASTERN DISTRICT OF CALIFORNIA

7 UNITED STATES OF AMERICA) CR. NO. 05-0022 AWI

8 v.)

9 CHARLES JOSEPH BARRETT,)

10 Defendant)

) STIPULATION TO VACATE THE JURY
) TRIAL CURRENTLY SET FOR JANUARY 10,
) 2006 AND SET THE MATTER ON
) CALENDER FOR A TRIAL SETTING
) CONFERENCE ON JANUARY 9, 2006
) AT 9 A.M., and ORDER

12 TO ALL PARTIES AND THEIR ATTORNEYS:

13 TO THE HONORABLE JUDGE PRESIDING HEREIN:

14 **IT IS HEREBY STIPULATED** by and between attorneys for the respective parties
15 herein that good cause exists to vacate the jury trial currently scheduled to begin on **January 10,**
16 **2006.** The parties agree to place the matter on the Court's Calendar for a Trial Setting
17 Conference on January 9, 2006 at 9:00 a.m.

18 Counsel for each party agrees that this request to continue the jury trial is appropriate
19 because a necessary and indispensable defense witness, Brent Gordon is out of the country and
20 unavailable during the month of January. Mr. Gordon is the only person who can provide
21 specific, relevant, factual evidence the Defendant believes is crucial to a fair hearing in this case.

22 Furthermore, there have been additional negotiations seeking an appropriate resolution in
23 this case. A short continuance may benefit these efforts as well.

24 Counsel for Defendant Barrett has spoken with Assistant U. S. Attorney, STANLEY A.
25 BOONE, who is agreeable to this requested Order.

1 DATED: December 27, 2005

2 Respectfully submitted,

3 THE COCHRAN FIRM

4 By: /s/ Timothy B. Rote

TIMOTHY B. ROTE

5 Attorney for Defendant,

CHARLES BARRETT

7 DATED: December 21, 2005

8 /s/ Stanley A. Boone

STANLEY A. BOONE

9 Assistant U.S. Attorney


10 **ORDER**

11 Good Cause Appearing,

12 **IT IS ORDERED:** that the jury trial currently scheduled to begin on **January 10, 2006** is

13 vacated. The matter is placed on the Court's Calendar for a Trial Setting Conference on January
14 9, 2006 at 9:00 a.m..

15 DATED: December 28, 2005.

16 
17 ANTHONY W. ISHII
18 District Judge
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